B. Sprague

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

DATE: SEP 29 1993

SUBJECT: Request for a Removal Action at Nearpara Rubber Incorporated, Hamilton Township, Mercer County, New Jersey. **ACTION MEMORANDUM**

FROM: Neil J. Norrell, On-Scene Coordinator (Bruce Sprague for)
Response and Prevention Branch

TO: William J. Muszynski, P.E.
Acting Regional Administrator

THRU: George Pavlou, Acting Director
Emergency and Remedial Response Division

Site ID No.: BZ

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of a proposed removal action described herein for the Nearpara Rubber Incorporated site (Site) located at 1849 East State Street Extension (Block 46, Lot 16), Hamilton Township, New Jersey.

On April 8, 1993, the United States Environmental Protection Agency's (EPA) Emergency and Remedial Response Division, at the request of the New Jersey Department of Environmental Protection and Energy (NJDEPE), conducted a joint inspection of the Site with the NJDEPE and the Hamilton Township Fire Department. On June 9-10, 1993, EPA performed a preliminary assessment of the Site for the purpose of determining removal action eligibility under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as amended by 42 U.S.C. §9601 et. seq.

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This Action Memorandum recommends that a removal action be conducted to secure and stabilize the Site. In addition, all on-site materials should be sampled to determine the best disposal options. A second Action Memorandum will be submitted for transportation and proper disposal of the hazardous substances identified on-site.

This site is not on the National Priorities List (NPL), and there are no nationally significant or precedent setting issues associated with this site.

II. SITE CONDITIONS AND BACKGROUND

A. Site Description

1. Removal Site Evaluation

Located at the Site are approximately 60 drums, 9 above ground tanks, 4 below ground tanks, 8 box trailers, approximately 150,000 cubic feet of whole and shredded tires, large amounts of raw rubber and latex, 2 transformers, 2 compressed gas cylinders and approximately 50 various sized containers of laboratory chemicals.

The approximately 60 drums, most in poor condition and open, are located throughout the facility. The drums contain varying amounts of solids and liquids. Some of the drums do have markings, however, all materials are considered to be unknowns at this time. In addition, several of the drums appear to have leaked some or all of their contents. On-site analysis on some of the containers indicate the presence of flammable, corrosive and chlorinated compounds.

The above ground storage tanks contain various liquids and are marked as; air oil, solvent residue, water, 410 oil and 1102 oil. These materials are believed to have been used as solvents in the rubber recycling process and may be contaminated with other material. The tanks and associated piping are rusted and pitted and areas underneath the tanks show signs of spillage or leakage. The underground storage tanks are reported to contain unleaded gasoline, No. 2 oil and No. 6 oil. The age and condition of these tanks are not known at this time. Field analysis of tank samples performed during the assessment, confirmed the materials as being flammable liquids.

The box trailers on-site contain waste rubber and waste latex along with 55-gallon drums and other containers. The contents of the drums and containers have not yet been determined. Several of the trailers are loaded with rubber and latex in such a way that access to the forward portions of the trailers is precluded. It is possible that additional drums are located inside these trailers.

The two compressed gas cylinders, tentatively identified as oxygen and acetylene, are in good condition. The quantity of compressed gas contained within the cylinders has not been determined.

Approximately 50 containers of laboratory containers are present in the laboratory portion of the facility. Approximately half the materials are unknown, with the remaining being tentatively identified as various acids, bases and solvents.

Two transformers located near the tank farm portion of the site tested positive for the presence of chlorine in field analysis. This is a strong indicator that the cooling oil may contain polychlorinated biphenyls (PCBs).

Additionally, there is a large pile of tires, approximately 150,000 cubic feet, located at the western edge of the property.

2. Physical Location

The Site is located at 1849 East State Street Extension (Block 46, Lot 16), Hamilton Township, Mercer County, New Jersey. The Site occupies approximately 8.5 acres in a heavily industrialized area. The site is bordered on the southeast by East State Street Extension, on the west by Whitehead Road and the Conrail/Amtrak North East Corridor Mainline which consists of 4 high speed passenger lines and 2 freight lines.

Within 1/4 mile of the site are several major roads leading to and from the city of Trenton, 2 residential neighborhoods and several large and small businesses. Within 1/2 mile of the site are 1 high school, 1 elementary school and 3 senior citizen housing complexes. Assumpink Creek, a tributary of the Delaware River, is approximately 2,000 feet west of the Site.

3. Site Characteristics

Nearpara Rubber was a recycler of rubber and latex. Their operation included the break down of the rubber and latex material in large reaction chambers by the addition of heat, various oils and solvents. The company operated for over eighty years. In February of 1993, the facility was abandoned as a result of bankruptcy hearings and the predicted cost of a comprehensive site cleanup.

On April 8, 1993, a joint site inspection was performed by NJDEPE, Hamilton Township Fourth Fire District and EPA. The inspection revealed the presence of the materials mentioned previously in this memorandum.

4. Release or Threatened Release into the Environment of a Hazardous Substance, or Pollutant or Contaminant

Information regarding the materials at the site is based upon field analysis performed during a preliminary assessment conducted by EPA on June 9-10, 1993. Some of these materials are hazardous substances as defined by Section 101(14) of CERCLA.

The following is a partial list of the hazardous substances at the site.

Substance Identified	Statutory Source for Designation as a Hazardous Substance
Toluene	RCRA, Section 3001
Sulfuric Acid	RCRA, Section 3001
Acetic Acid	RCRA, Section 3001
Hydrogen Chloride	RCRA, Section 3001
Toluidine	RCRA, Section 3001
Materials exhibiting the Characteristic of Corrosivity	RCRA, Section 3001 (as defined in CFR 40, Part 261.22)
Materials exhibiting the Characteristic of Ignitability	RCRA, Section 3001 (as defined in CFR 40, Part 261.21)
Sodium Hydroxide	RCRA, Section 3001
Polychlorinated Biphenyls (PCB's)	TSCA, Section 6

Due to the presence of flammable liquids, such as toluene and isopropyl alcohol, and oxidizers, such as sodium hydroxide and hydrogen peroxide, the threat of fire at the facility does exist. Should a fire occur, it would spread across the facility quickly and involve most types of material found at the Site. The toxic fumes created by the uncontrolled combustion of these materials would severely impact the surrounding population, possibly necessitating the evacuation of the surrounding population and the closure of major rail lines and roadways.

In addition, runoff from firefighting efforts would flow into the storm sewer located at the front of the facility. The storm sewer flows into Assumpink Creek, a tributary of the Delaware River.

Should any of the tanks or other containers rupture or leak, contamination of the soil and groundwater would occur. Rain

would wash contaminants possibly into a storm sewer which flows into the Assumpink Creek/Delaware River system.

5. NPL Status

At the present time, the Site is not on the NPL and there are no efforts underway to include this Site on the NPL.

B. Other Actions to Date

1. Previous Actions

On July 17, 1993, NJDEPE issued Field Directives to all potentially responsible parties (PRPs) for the sampling, characterization and disposal of all hazardous wastes and the sampling, excavation and disposal of contaminated soil. The response date required by each Directive was August 9, 1993 and no PRPs indicated a willingness to perform these actions.

2. Current Actions

There are no current actions being undertaken by any other agency or by the PRPs.

C. State and Local Authorities' Roles

1. State and Local Actions to Date

NJDEPE received no responses to the Field Directives issued to PRPs and subsequently requested EPA's assistance in addressing the situation at the site. The initial request was made verbally on April 8, 1993, and a written request was received on August 23, 1993.

2. Potential for Continued State/Local Response

Neither NJDEPE or local government have the resources available to do the necessary removal action at the site. These organizations will act in a supporting role throughout the Removal Action.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

Materials located throughout the Site are stored in a unsafe manner. Drums are in poor condition and open, storage tanks containing flammable liquids are in deteriorating condition and laboratory reagents are stored without regard to compatibility.

At this time, the Site is not secure. Perimeter fencing is collapsed, with openings in some areas. The main gate of the facility, though locked, is bent in such a manner as to permit uncontrolled access to the property.

The condition of materials at the Site and evidence of recent entries onto the property contribute to the possibility of direct human contact. Many of the materials present are unknowns, therefore, the effects of acute or chronic exposure cannot be predicted.

Due to the presence of flammable liquids, such as toluene and isopropyl alcohol, and oxidizers, such as sodium hydroxide and hydrogen peroxide, the threat of fire at the facility does exist. Should a fire occur it would spread across the facility quickly and involve most of the material found at the Site. The toxic fumes created by the uncontrolled combustion of these materials would severely impact the surrounding population, possibly necessitating the evacuation of the surrounding population and the closure of major rail lines and roadways.

B. Threats to the Environment

Failure of the tanks or other containers would result in contamination of the soil and possibly groundwater. Rainwater would wash contaminants off-site, into the storm sewer and into the Assumpink Creek impacting the Delaware River bio-system. If a fire were to occur on-site, contaminated runoff from firefighting would also enter these waterways.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response action selected in this Action Memorandum may present an imminent and substantial endangerment to public health, welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

The purpose of this Action Memorandum is to secure and stabilize the Site. In addition, all on-site materials will be sampled to determine the best disposal options. Analysis will be performed on the oils to determine if they have been contaminated during the recycling process and now constitute a hazardous substance or hazardous waste. Should the oils not be hazardous they may be removed if this can be accomplished at no cost to the Agency.

Site activities will include, but not be limited to, the following:

- Establish site security, which may include security guards, until such time as EPA determines that the site stabilization activities are completed and the threat of exposure by unauthorized persons is mitigated;
- Overpack deteriorated drums;
- Inventory and segregate materials;
- Transfer liquid and sludge contents from storage tanks to stable containers as necessary;
- Decontamination of the tanks as necessary;
- Perform disposal sampling/analysis, to include compatibility sampling, for all on-site materials;
- Oil analysis;
- Determine appropriate disposal method for all materials.

2. Contribution to Remedial Performance

The proposed action will contribute effectively to any long term remedial action with respect to the release or threatened release of hazardous substances. This removal action is consistent with any future long-term remedial action undertaken at the site.

3. Description of Alternative Technologies

Alternative technologies will be considered so long as they prove to be cost effective and efficient.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

ARARs within the scope of the project, including RCRA and CERCLA regulations that pertain to the disposal of hazardous wastes, will be met to the extent practicable.

5. Project Schedule

The removal action can be initiated within two weeks of approval for funding. Overpacking, materials transferring, staging, segregating and sampling will occur thereafter.

B. Estimated Costs

1. Extramural Costs:

Regional Allowance Costs: (Total clean-up contractor costs include labor, equipment, materials, and laboratory disposal analysis)	$ 350,000
Other Extramural Costs not Funded From the Regional Allowance:	
Total; TAT, including multiplier costs	$ 74,000
Subtotal, extramural costs	$ 424,000
Extramural Costs Contingency (20% of subtotal, extramural Costs)	$ 84,800
TOTAL, EXTRAMURAL COSTS (rounded to nearest $1,000)	$ 509,000
Intramural Costs:	
Intramural Direct Costs	$ 97,000
Intramural Indirect Costs	$ 10,000
TOTAL, INTRAMURAL COSTS	$ 107,000
TOTAL, REMOVAL PROJECT CEILING	$ 616,000

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action or no action could result in the release of hazardous substances into the environment, thereby exposing the nearby residents and employees of the surrounding industries to hazardous substances and causing contamination of the soil, groundwater and nearby river system. Unrestricted access to the property could expose individuals by direct contact.

VII. OUTSTANDING POLICY ISSUES

None.

VIII. ENFORCEMENT

Efforts will be made to identify any viable PRPs to assume responsibility for the cost of the clean-up. The On-Scene Coordinator will work with the Program Support Branch, the Office of Regional Counsel and the NJDEPE in an attempt to locate viable PRPs.

IX. RECOMMENDATION

This decision document represents a selected Removal Action for the Nearpara Rubber Company Site, Hamilton Township, New Jersey developed in accordance with CERCLA as amended, and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site.

Conditions at the site meet the NCP Section 300.415(b)(2) criteria for a Removal Action and I recommend your approval of the proposed removal action. The total project ceiling if approved will be $616,000, of which an estimated $350,000 comes from the Regional removal allowance.

Please indicate your approval of the funding for the Nearpara Rubber Company Site, pursuant to your authority delegated by Assistant Administrator J. Winston Porter, May 25, 1988, Redelegation Memorandum, Delegation Number R-14-1-A.

Approved: K. Callahan for William J. Muszynski, P.E. Acting Regional Administrator Date: 9/30/93

Disapproved: _____ Date: _____
William J. Muszynski, P.E.
Acting Regional Administrator

cc: (after approval is obtained)
W. Muszynski, 2RA
K. Callahan, 2DRA
G. Pavlou, 2ERRD
R. Salkie, 2ERR-ADREPP
B. Sprague, 2ERR-RPB
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J. Marshall, 2EPD
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